IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3856 OF 2004
IN
CRIMINAL APPEAL NO.1040 OF 2004

Anant Babaji More ...Applicant.

v/s

State of Maharashtra ...Respondent.

Mr. S.P. Thorat for the applicant.

Mr. A.M. Shringarpure, APP for the respondent.

CORAM: V.M.KANADE,J.
DATE: 14th September, 2004.
PC:.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the State.

2. Applicant is seeking bail pending the hearing and final disposal of the Criminal Appeal No.1040 of 2004. Applicant is convicted under section 7(1)(D) of the Protection of Civil Rights Act, 1955 and section 3(1)(10) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 and section 506(2) of the I.P.C. The Trial Court convicted the applicant-accused and sentenced him to suffer R.I. for one year and six months respectively. Appeal is admitted.

3. The learned Counsel appearing on behalf of the

applicant-accused submitted that, admittedly, there was previous enmity between the applicant and the original complainant and as many as three cases were pending against each other. Further, there was also political rivalry. The applicant was the President of the National Congress Party. He submitted that apart from the political rivalry, there was delay in lodging the complaint and the prosecution has not given satisfactory explanation regarding the said delay.

4. In my view, considering the fact that punishment which is awarded is one year and the fact that appeal is not likely to come up for hearing immediately in the near future and also considering the fact that there was an unexplained 21 days' delay in filing the FIR, this is a fit case where the applicant is entitled to be released on bail during the pendency of the appeal.

5. Applicant, therefore, to be released on bail on the same terms and conditions as imposed by the Trial Court with a condition that he shall furnish fresh bonds. Hearing of the Appeal is expedited.

6. Registry to issue authenticated copy of this order to the parties.

V.M. KANADE, J.